

Remarks

Applicant and the undersigned would like to thank the Examiner for his efforts in the examination of this application. Reconsideration is respectfully requested.

I. Rejection of Claims 1-20 under 35 USC 103(a)

The Examiner has rejected Claims 1-7, 10, 11, and 14-18 under 35 USC 103(a) as being unpatentable over Frey et al. (US 6,315,773) in view of Lai (US 6,210,401); Claims 8, 9, 12, 13, 19, and 20, over Frey '773 in view of Lai '401, and further in view of LaHaye (US 6,497,700).

This rejection is respectfully traversed. Independent Claims 1 and 10 have been amended to more particularly point out that which Applicant regards as his invention. In particular, the limitations of Claims 5 and 6 have been incorporated in to Claim 1, and, those of Claims 15 and 16, into Claim 10.

The Examiner has asserted that "it would have been an obvious matter of design choice to a person of ordinary skill in the art to provide contrasting boundaries using any number of techniques because Applicant has not disclosed that a specific boundary provides an advantage, is used for a particular purpose, or solves a stated problem."

Applicant respectfully disagrees that this is an "obvious matter of design choice", and the Examiner is requested to provide a reference illustrating such a device, as this is not believed to have been disclosed prior to the present invention. Further, the Specification clearly discloses a rationale for this arrangement on page 7, lines 10-12: "For example, the ring's outer face 57,57' may comprise an inner ring 58a that has a light color,

such as white, for contrast with the cornea 50; an outer ring 58b having a dark color, such as black, provides contrast with the iris 59." This double contrast is not believed to have been taught previously, and is additionally believed to represent the best mode at the time of filing of the application, and is believed to patentably distinguish over the cited art.

It is therefore believed that independent Claims 1 and 10, and Claims 2, 3, 6-13, and 17-20 dependent therefrom, patentable define over the cited art.

Conclusions

Applicant respectfully submits that the above amendments place this application in a condition for allowance, and passage to issue is respectfully solicited. The Applicant and the undersigned would like to again thank the Examiner for his efforts in the examination of this application and for reconsideration of the claims as amended in light of the arguments presented. If the further prosecution of the application can be facilitated through telephone interview between the Examiner and the undersigned, the Examiner is requested to telephone the undersigned at the Examiner's convenience.

Respectfully submitted,


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CERTIFICATE OF MAILING

I hereby certify that the foregoing is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 14th day of July, 2005.

A handwritten signature in black ink, appearing to read "Edward Bradley", is written over a single horizontal line. The signature is fluid and cursive.